



DEP 3rd REF

2009 SEP 30 PM 4:41

Docket No.: IRD-0004
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hiroshi Morikawa

Application No.: 10/521,166

Confirmation No.: 5678

Filed: January 14, 2005

Art Unit: 2625

For: **OUTPUT APPARATUS AND PROGRAM
THEREOF**

Examiner: B. D. Reinier

REQUEST FOR REFUND

MAIL STOP 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicants, through his attorneys, respectfully submit a Request for Refund in the total amount of \$1,620.00.

A Request for Oral Hearing and Reply Brief was filed on September 15, 2009.

Applicant authorized a charge of \$540.00 for a Request for Oral Hearing (Code 2403). However, Applicant was erroneously charged a fee of \$540.00 for filing an Appeal Brief (Code 1402). Therefore, Applicant, through its attorney, hereby requests a refund of \$540.00 for this charge to the Deposit Account 18-0013.

Also, Applicant authorized a charge of \$540.00 for a Request for Oral Hearing (Code 2403). However, Applicant was charged a large entity fee of \$1,080.00 for this filing. Therefore, please correct the deposit account entry and refund the difference of \$540.00 to the Deposit Account 18-0013.

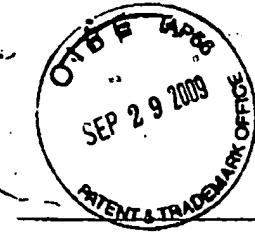
Copies of the Deposit Account Statement showing the deduction from our account and the date-stamped postcard of September 15, 2009 are provided along with this Request.

Dated: September 29, 2009

Respectfully submitted,

By 
Brian K. Dutton

Registration No.: 47,255
RADER, FISHMAN & GRAUER PLLC
Correspondence Customer Number: 23353
Attorneys for Applicant

**Deposit Account Statement**

Requested Statement Month:

Deposit Account Number:

Name:

Attention:

Street Address 1:

Street Address 2:

City:

State:

Zip:

Country:

September 2009

180013

RADER FISHMAN & GRAUER

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UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL		
09/16 17	10521166		IRD-0004		1403	\$1,080.00	\$29,058
*09/16 16	10521166		IRD-0004		1402	\$540.00	\$28,518



Inventor: Hiroshi Morikawa

Atty Docket No.: IRD-0004
(80401-0001)

Application No.: 10/521,166-Conf. #5678 Filing Date: January 14, 2005
Title: OUTPUT APPARATUS AND PROGRAM THEREOF

Documents Filed:

Fee Transmittal (1 page)

Request for Oral Hearing Before BPAI (1 page)

Charge \$540.00 to deposit account 18-0013

Reply Brief (16 pages)



Via: Courier

Sender's Initials: BKD/kmh

Date: September 15, 2009

140



PTO/SB/32 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR ORAL HEARING

BEFORE

THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

IRD-0004

In re Application of
Hiroshi Morikawa

Application Number 10/521,166-Conf. #5678	Filed January 14, 2005
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For OUTPUT APPARATUS AND PROGRAM THEREOF

Art Unit 2625	Examiner B. D. Reinier
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Applicant hereby requests an oral hearing before the Board of Patent Appeals and Interferences in the appeal of the above-identified application.

The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3)) \$ 1,080.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 540.00

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 18-0013

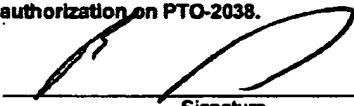
A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)



Brian K. Dutton
Typed or printed name

attorney or agent of record.

Registration number 47,255

September 15, 2009

Date

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34.

(202) 955-3750

Telephone number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

Adjustment date: 10/07/2009 HDESTA1
09/16/2009 SZEWDIE1 00000012 180013 10521166
02 FC:1403 1080.00 CR

09/16/2009 SZEWDIE1 00000012 180013 10521166
02 FC:1403 1080.00 DA

10/07/2009 HDESTA1 00000019 180013 10521166
01 FC:2403 540.00 DA



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Examiner: B. D. Reinier

REPLY BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Reply Brief under 37 C.F.R. §41.41 in response to the Examiner's Answer mailed on July 21, 2009.

All arguments presented within the Appeal Brief of May 14, 2009 are incorporated herein by reference.

Additional arguments are provided hereinbelow.

Among others, the following positions were presented in the Examiner's Answer, each of which will be addressed in turn in this Reply Brief:

Adjustment date: 10/07/2009 HDESTA1
09/16/2009 SZEWDIE1 00000012 180013 10521166
01 FC:1402 540.00 CR

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01 FC:1402 540.00 DA